

SENATE BILL 37

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SB 2/02 - FIN

2003 Regular Session
3lr0394

By: **Senator Green**

Introduced and read first time: January 14, 2003

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 11, 2003

CHAPTER _____

1 AN ACT concerning

2 **Retail Electric and Gas Industries - Aggregators - Counties and Municipal**
3 **Corporations**

4 FOR the purpose of repealing the provision prohibiting a county or municipal
5 corporation from acting as an entity that acts on behalf of a customer to
6 purchase electricity; including counties and municipal corporations in the
7 entities that may act as aggregators for the purchase of electricity or gas under
8 certain circumstances; and generally relating to the ability of counties and
9 municipal corporations to act as aggregators in the retail electric and gas
10 industries.

11 BY repealing and reenacting, with amendments,
12 Article - Public Utility Companies
13 Section 1-101(b)
14 Annotated Code of Maryland
15 (1998 Volume and 2002 Supplement)

16 BY repealing
17 Article - Public Utility Companies
18 Section 7-510(f)
19 Annotated Code of Maryland
20 (1998 Volume and 2002 Supplement)

21 BY adding to
22 Article - Public Utility Companies
23 Section 7-510(f)

1 Annotated Code of Maryland
2 (1998 Volume and 2002 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article - Public Utility Companies**

6 1-101.

7 (b) (1) "Aggregator" means an entity, INCLUDING A COUNTY OR MUNICIPAL
8 CORPORATION, or an individual that acts on behalf of a customer to purchase
9 electricity or gas.

10 (2) "Aggregator" does not include:

11 (i) an entity or individual that purchases electricity or gas for its
12 own use or for the use of its subsidiaries or affiliates;

13 (ii) a municipal electric utility or a municipal gas utility serving
14 only in its distribution territory; or

15 (iii) a combination of governmental units that purchases electricity
16 or gas for use by the governmental units.

17 7-510.

18 [(f) A county or municipal corporation may not act as an aggregator unless the
19 Commission determines there is not sufficient competition within the boundaries of
20 the county or municipal corporation.]

21 (F) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
22 COUNTY OR MUNICIPAL CORPORATION MAY ACT AS AN AGGREGATOR ONLY ON
23 BEHALF OF CUSTOMERS LOCATED WITHIN THE BOUNDARIES OF THE COUNTY OR
24 MUNICIPAL CORPORATION.

25 (2) A COMBINATION OF TWO OR MORE COUNTIES OR MUNICIPAL
26 CORPORATIONS MAY ACT AS AN AGGREGATOR ONLY ON BEHALF OF CUSTOMERS
27 LOCATED WITHIN THE BOUNDARIES OF THE COUNTIES OR MUNICIPAL
28 CORPORATIONS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 June 1, 2003.

